

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**In re:**

**LIMETREE BAY SERVICES, LLC, *et al.***<sup>1</sup>

**Debtors.**

**CHAPTER 11**

**CASE NO.: 21-32351**

**Jointly Administered**

**DEBTORS' FOURTH EMERGENCY MOTION FOR AN EXTENSION OF TIME TO  
FILE SCHEDULES AND STATEMENTS OF FINANCIAL AFFAIRS**

**Emergency relief has been requested. Relief is requested not later than 5:00 p.m. on September 7, 2021.**

**If you object to the relief requested or you believe that emergency consideration is not warranted, you must appear at the hearing if one is set, or file a written response prior to the date that relief is requested in the preceding paragraph. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.**

Limetree Bay Services, LLC (“**Limetree**”) and its debtor affiliates (collectively, the “**Debtors**”), as debtors and debtors in possession in the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”), respectfully represent as follows in support of this motion (the “**Motion**”).

**Relief Requested**

1. Pursuant to Rule 1007(c) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), the Debtors request entry of an order, substantially in the form attached hereto as **Exhibit A**, extending the deadline by which the Debtors must file their (i) schedules of assets and liabilities, (ii) schedules of current income and expenditures, (iii) schedules of executory contracts and unexpired leases, and (iv) statements of financial affairs (collectively,

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable, are: Limetree Bay Services, LLC (1866); Limetree Bay Refining Holdings, LLC (1776); Limetree Bay Refining Holdings II, LLC (1815); Limetree Bay Refining, LLC (8671); Limetree Bay Refining Operating, LLC (9067); Limetree Bay Refining Marketing, LLC (9222). The Debtors’ mailing address is Limetree Bay Services, LLC, 11100 Brittmoore Park Drive, Houston, TX 77041.

the “**Schedules and Statements**”) by an additional four days, for a total of 57 days from the Petition Dates (as defined below), through and including September 7, 2021, without prejudice to the Debtors’ ability to request additional extensions for cause shown.

2. The Debtors seek this relief because they do not believe they can fully complete and file the Schedules and Statements by September 3, 2021, the current deadline requested by the Debtors.

### **Jurisdiction**

3. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).

### **Background**

4. On July 12, 2021 (the “**Petition Date**”), each of the Debtors commenced with this Court a voluntary petition for relief under the Bankruptcy Code. The Debtors continue to operate their businesses as debtors in possession pursuant to §§ 1107(a) and 1108 of the Bankruptcy Code. No request for the appointment of a trustee or examiner has been made in these chapter 11 cases. The Official Committee of Unsecured Creditors was appointed on July 26, 2021 (Doc. No. 189).

5. Additional information regarding the circumstances leading to the commencement of these chapter 11 cases and information regarding the Debtors’ business is set forth in the *Declaration of Mark Shapiro in Support of Chapter 11 Petitions and First Day Motions* (Doc. No. 8).

6. On July 21, 2021, the Debtors filed the *Emergency Motion for an Extension of Time to File Schedules and Statements of Financial Affairs* (Doc. No. 166) (the “**First Motion to Extend**”).

7. On July 23, 2021, the Court granted the First Motion to Extend (Doc. No. 176) extending the deadline to file the Schedules and Statements to August 10, 2021.

8. On August 9, 2021, the Debtors filed the *Second Emergency Motion for an Extension of Time to File Schedules and Statements of Financial Affairs* (Doc. No. 356) (the “**Second Motion to Extend**”).

9. On August 11, 2021, the Court granted the Second Motion to Extend (Doc. No. 391) extending the deadline to file the Schedules and Statements to August 13, 2021.

10. On August 13, 2021, the Debtors filed the *Third Emergency Motion for an Extension of Time to File Schedules and Statements of Financial Affairs* (Doc. No. 408) (the “**Third Motion to Extend**”). The Third Motion to Extend is still pending before the Court.<sup>2</sup>

#### **Basis for Relief Requested**

11. Bankruptcy Rule 1007 requires the Debtors to file the Schedules and Statements within 14 days after the Debtors’ respective Petition Dates. The Court is authorized to grant an extension of these deadlines “for cause” pursuant to Bankruptcy Rule 1007(c).

12. To prepare the Schedules and Statements, the Debtors must compile information from books, records, and documents relating to creditor claims as well as the Debtors’ assets. In these jointly administered cases, there are six Debtors with various financial information and

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<sup>2</sup> Pursuant to ¶ K(30) of the Procedures for Complex Cases in the Southern District of Texas, if a party files a motion to extend the time to take any action before the expiration of the period prescribed by the Bankruptcy Code, Bankruptcy Rules, Local Bankruptcy Rules, or a confirmed plan, the time for taking the action is automatically extended until the Court rules on the motion. The Court has not yet ruled on the Third Motion to Extend. However, the Debtors seek this additional four-day extension in the event that the Court rules on the Third Motion to Extend and the deadline to file the Schedules and Statements passes on September 3.

voluminous contracts to review. The Debtors and their reduced staff have been working diligently to gather and analyze information for the six Debtors from various sources to complete information related to their Schedules and Statements and are in the process of finalizing the Schedules and Statements for filing.

13. Sufficient cause exists here because the Debtors are compiling and analyzing information from multiple sources, have reduced their staff, and need additional time to complete and finalize the Schedules and Statements by working with the Debtors' restructuring professionals.

14. While the Debtors believe that the requested extension will provide sufficient time to permit the Debtors to complete and file the Schedules and Statements, the Debtors reserve the right to seek additional extensions on appropriate notice and motion to the Court.

15. Proposed Counsel for the Debtors has conferred with the United States Trustee and the United States Trustee is not opposed to the relief requested. The Debtors submit that the requested extension to September 7, 2021, will provide parties in interest with sufficient time to review the Debtors' Schedules and Statements before the continued Section 341 meeting on September 13, 2021.

16. The Debtors respectfully request emergency consideration of this Motion. The Motion requests an extension to file the Debtors' Schedules and Statements to allow the Debtors adequate time to fully complete this project and request the Court's consideration on an emergency basis soon after the current requested deadline expires. Accordingly, the Debtors respectfully request that the Court approve the relief requested in this Motion on an emergency basis.

17. Pursuant to Local Rule 9013-1(i), this Motion is verified as to its accuracy by Debtors' proposed counsel.

18. Notice of this Motion will be provided to the Master Service List, including: (a) the U.S. Trustee; (b) all secured creditors; (c) the Offices of the Attorney General of the State of Texas and the United States Virgin Islands; (d) the thirty (30) largest consolidated unsecured creditors for the Debtors; (e) the Debtors' identified, interested taxing authorities, including the Internal Revenue Service; (f) the Debtors' identified, interested government and regulatory entities; (g) other interested parties as identified by the Debtors; (h) the Committee members and their counsel, if known; (i) proposed counsel to the Committee; and (j) any party that has requested notice pursuant to Bankruptcy Rule 2002. The method of service for each party will be described more fully in the certificate of service prepared by the Debtors' claims and noticing agent. The Debtors submit that no other or further notice is required.

WHEREFORE, the Debtors respectfully request this Court enter an order, substantially in the form attached hereto as Exhibit A, extending the time for filing the Schedules and Statements to September 7, 2021, a date 57 days from the Petition Dates, and for all other relief that is appropriate under the circumstances.

RESPECTFULLY SUBMITTED this 2nd day of September 2021.

**BAKER & HOSTETLER LLP**

/s/ Elizabeth A. Green

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*Proposed Counsel for the Debtors and Debtors in Possession*

**Certificate of Accuracy**

I certify that the foregoing statements are true and accurate to the best of my knowledge. This statement is being made pursuant to Bankruptcy Local Rule 9013-1(i).

/s/ Elizabeth A. Green  
Elizabeth A. Green

**Certificate of Service**

I certify that on September 2, 2021, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Elizabeth A. Green  
Elizabeth A. Green